

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

x

CAROLE NEWMARK,

Plaintiffs,

07-CIV-2861(SCR)

-against-

ANSWER

LAWRENCE HOSPITAL CENTER,
PAT ORSAIA, individually, AND CATHY
MAGONE, individually

Defendants.

x

Defendants Lawrence Hospital Center (the “Hospital”) and Catherine Magone, by their attorneys, Collazo Carling & Mish LLP, for their Answer to the Complaint herein:

1. Deny the allegations contained in paragraph 1 of the Complaint, except admit that this action is brought pursuant to the Age Discrimination in Employment Act, 29 U.S.C. § 621 *et seq.*
2. Admit the allegations contained in paragraph 2 of the Complaint.
3. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Complaint, except admit that Newmark (“plaintiff”) has a Master of Social Work degree.
4. Admit the allegations contained in paragraph 4 of the Complaint.
5. Deny the allegations contained in paragraph 5 of the Complaint, and aver that Magone’s title is Director of Clinical Quality and Case Management.
6. Deny the allegations contained in paragraph 6 of the Complaint, except admit that Orsaia’s title was Director of Human Resources, and admit that Magone and Orsaia had authority to terminate Newmark.

7. Deny the allegations contained in paragraph 7 of the Complaint, except admit that plaintiff was hired in March 2006.

8. Deny the allegations contained in paragraph 8 of the Complaint, except admit that Nicole Serra was hired by the Hospital as a Social Worker.

9. Deny the allegations contained in paragraph 9 of the Complaint.

10. Deny the allegations contained in paragraph 10 of the Complaint, except admit that Magone and Orsaia met with plaintiff to discuss her complaint.

11. Deny the allegations contained in paragraph 11 of the Complaint.

12. Deny the allegations contained in paragraph 12 of the Complaint, except admit that the Hospital terminated plaintiff on October 5, 2006.

13. Deny the allegations contained in paragraph 13 of the Complaint.

14. Repeat and incorporate the responses contained in paragraphs 1 to 13 herein.

15. Deny the allegations contained in paragraph 15 of the Complaint.

16. Repeat and incorporate the responses contained in paragraphs 1 to 15 herein.

17. Deny the allegations contained in paragraph 17 of the Complaint.

WHEREFORE, defendants demand that judgment be entered in its favor dismissing this action in its entirety, awarding to defendants their costs, inclusive of attorney's fees, and such other relief as the Court may deem just and proper.

Dated: New York, New York
May 4, 2007

COLLAZO CARLING & MISH LLP

By: John P. Keil
John P. Keil (JK 2794)
Attorneys for Defendants
Lawrence Hospital Center and

Catherine Magone
Office and P.O. Address
747 Third Avenue
New York, New York 10017
(212) 758-7782

To: Jonathan Lovett (JL 4854)
Lovett & Gould, LLP
Attorneys for Plaintiffs
222 Bloomingdale Road
White Plains, New York 10605
(914) 428-8401